

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars.

1. Interview of December 19, 2006

The applicant is appreciative of the opportunity to discuss the pending application with the examiner on December 19, 2006. During the interview, the subject matter of the pending claims and U.S. patent no. 6,604,738 (*Haruna*) were discussed. Additionally, the operation of an embodiment of the pending application was discussed in reference to the drawing figures.

The applicants presented proposed claim amendments that addressed the rejection of the claims under 35 U.S.C. § 112 second paragraph. The examiner agreed that the proposed amendments overcame the rejections.

In order to further overcome the rejections, the examiner suggested that the language “adapted to” in the claims should be replaced by the language “configured to.” The examiner agreed that this change, in combination with the proposed amendments, would overcome all of the rejections of the claims under 35 U.S.C. § 112 second paragraph.

Turning to the rejection of claims 1-3, 4, 7-11, and 14-17 as being anticipated by the *Haruna* patent, the examiner suggested that changing the language of claim 1 and 3 to require the leading end/output portion of the output member to be “fixedly” connected to the outer sleeve or to the outer or inner engaging member would overcome the rejection of claims 1-3, 4, 7-11, and 14-17 in view of the *Haruna* patent.

The applicant also drew attention to the claim for foreign priority, and the certified copy of the foreign priority document that has been received in the pending application. The examiner agreed that the claim for priority and the receipt of the certified copy of the foreign priority document will be acknowledged in the next Office communication.

2. Claim for foreign priority

The applicant respectfully requests that the examiner acknowledge the claim for priority and receipt of the foreign priority documents submitted under 35 U.S.C. § 119.

3. In the claims

As shown in the foregoing AMENDMENT TO THE CLAIMS, the claims have been amended to more clearly point out the subject matter for which protection is sought.

A. Claim amendments

Claims 1, 11, 18 and 19 are amended to replace the phrase “adapted to” with the phrase “configured to,” as suggested by the examiner during the interview of December 19, 2006. The applicant believes these phrases to be of the same scope, therefore, it is respectfully submitted that no new matter is added.

Claim 1 is amended to recite the connecting phrase “comprising” instead of the term “wherein.” It is respectfully submitted that no new matter is added, since the change corrects a minor informality.

Claim 1 is also amended to recite that the leading end portion of the output member is “firmly” connected to the outer sleeve. It is respectfully submitted that no new matter is added since support for the amendment is clearly found in Figs. 2A, 5A, 6, 7A, 10, 11, 18A, 21A, and 22-25 of the pending application and at least on page 1, lines 32-34, page 5, lines 33-35, page 15, lines 33-34, and page 20, lines 22-23 of the accompanying description in the specification.

While the examiner indicated that the word “fixedly” would place the claims in condition for allowance, the applicant believes that the word “fixedly” does not accurately describe the connection. This is because “fixedly” may be interpreted as “in a fixed state,” which would require the leading end portion and the outer sleeve 31 to be “in a fixed state.” This interpretation would appear to contradict the requirement in claim 1, lines 7 and 8, that the outer sleeve 31 is configured to be

diametrically expandable and contractible. Accordingly, the applicant has amended claim 1 to require that the leading end portion and the outer sleeve 31 are “firmly” connected. Thus, the leading end portion is securely connected to the outer sleeve 31, while the outer sleeve may still diametrically contract and expand, and is not required to be “in a fixed state,” as would be the case if the leading end portion were “fixedly” connected to the outer sleeve 31.

Claim 3 is amended to recite the connecting phrase “comprising” instead of the term “wherein.” It is respectfully submitted that no new matter is added, since the change corrects a minor informality.

Claim 3 is also amended to recite that the output portion of the output member is “firmly” connected to the outer engaging member or the inner engaging member. It is respectfully submitted that no new matter is added since support for the amendment is clearly found in Figs. 2A, 5A, 6, 7A, 10, 11, 12A, 15A, 16, 17A, 18A, 21A, and 22-25 of the pending application and at least on page 1, lines 32-34, page 5, lines 33-35, page 15, lines 33-34, page 20, lines 22-23, and page 22, lines 25-31 of the accompanying description in the specification.

While the examiner indicated that the word “fixedly” would place the claims in condition for allowance, the applicant believes that the word “fixedly” does not accurately describe the connection. This is because “fixedly” may be interpreted as “in a fixed state,” which would require the leading end portion and the outer engaging member 31, 72 to be “in a fixed state.” This interpretation would appear to contradict the requirement in claim 3, lines 5 and 6, that the outer engaging member 31, 72 is diametrically expandable and contractible. Accordingly, the applicant has amended claim 3 to require that the leading end portion and the outer engaging member 31, 72 are “firmly” connected. Thus, the leading end portion is securely connected to the outer engaging member 31, 72, while the outer engaging member may still diametrically contract and expand, and is not required to be “in a fixed state,” as would be the case if the leading end portion were “fixedly” connected to the outer engaging member 31, 72.

Claim 12 is amended to recite “an inherent” restoring force in place of “its own.” It is respectfully submitted that no new matter is added, since the change corrects a minor informality.

Claim 13 is amended to recite the connecting phrase “further comprising” instead of the term “wherein.” It is respectfully submitted that no new matter is added, since the change corrects a minor informality.

Claims 2, 4-10, 14-17, and 20-25 are left unchanged.

Entry of the AMENDMENT TO THE CLAIMS is respectfully requested in the next Office communication.

B. Rejection of claims 1-25 under 35 U.S.C. § 112 second paragraph

Reconsideration and withdrawal of this rejection is respectfully requested in view of the amendments discussed above, on the basis that the claims as amended are clear and definite, as agreed upon in the interview of December 19, 2006.

Accordingly withdrawal of this rejection is respectfully requested.

4. Rejection of claims 1-4, 7-11, and 14-17 under 35 U.S.C. § 102(e) as being anticipated by U.S. patent no. 6,604,738 (*Haruna*)

Reconsideration of this rejection is respectfully requested, in view of the amendments to claims 1 and 3, on the basis that the *Haruna* patent fails to disclose each and every limitation of amended claims 1 and 3. The remaining claims depend from either claim 1 or 3, and are therefore patentable as containing all of the limitations of claims 1 or 3, as well as for their respective recited features.

The *Haruna* patent fails to disclose a leading end/output portion of the output member being firmly connected to the outer sleeve/engaging member or the inner engaging member, as required by amended claims 1 and 3.

The *Haruna* patent discloses a cover block 16 having an annular plug portion 21 projecting upwards from its mid portion. An annular shuttle member 23 is externally fitted onto the plug portion 21. The plug portion 21 further has a

cylindrical hole 21a into which a transmission sleeve 31 is axially movably inserted. The transmission sleeve 31 is formed with a plurality of through holes 33 spaced peripherally at a predetermined interval. The respective through holes 33 support engaging balls (engaging members) 34 for interacting with the plug portion 21. The transmission sleeve 31 has a cylindrical hole 31a into which a closure member 38 is vertically movably inserted.

The shuttle member corresponds to an outer sleeve and the closure member corresponds to an inner sleeve. It is clear that the shuttle member and the closure member do not make a wedge engagement with each other. It is also clear that neither the shuttle member nor the closure member are firmly connected to a leading end/output portion of an output member.

Accordingly, since the *Haruna* patent fails to disclose a leading end/output portion of the output member being firmly connected to the outer sleeve/engaging member or the inner engaging member, as required by amended claims 1 and 3 and as agreed upon in the interview of December 19, 2006, withdrawal of this rejection is respectfully requested.

5. Allowable subject matter

The applicant gratefully acknowledges the indication of allowable subject matter in claims 5, 6, 12, 13, and 18-25.

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Examiner: WILSON, Lee D.
Art Unit: 3723

6. Conclusion

As a result of the amendment to the claims, and further in view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that every pending claim in the present application be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the applicant's attorney, the examiner is invited to contact the undersigned at the numbers shown below.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Justin J. Cassell", written in a cursive style.

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